

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36823 of 2018

Arising Out of PS. Case No.-58 Year-2017 Thana- MAHILA P.S. District- Bhagalpur

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TRIPURARI KUMAR @ TRIPURARI @ TRIPURARI KUMAR YADAV,
Resident of Village- Sindhua Tola, (Guljar Bagh), P.S.- Alamganj, Dist- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Khusbhu Kumari, Wife of Tripurari Kumar Yadav, Daughter of Kapil Deo Prasad Yadav, Resident of Village- Police Line Bhagalpur, Quarter No.- HB-03, P.S.- Ishakchak, Dist- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.
For the Opposite Party/s : Sri Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-06-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner, being the husband of the informant, is apprehending arrest in a case registered for the offences punishable under Sections 323/341/379/498A/504/506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case got initiated on the basis of written report dated 13.08.2017 submitted by the informant Khushboo Kumari to the Station House Officer, Mahila Police Station, Bhagalpur to the effect that the informant's marriage was performed with the petitioner on 01.12.2014, but, subsequently,



further dowry demand of a car was made and on non-fulfillment of the same, torture was inflicted upon the informant.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para -6 of the petition which reads as follows:-

“That the petitioner is the husband of the informant (O. P. No.2) and he is always ready to keep his wife with full respects and dignity.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Bhagalpur, in connection with Bhagalpur (Mahila) P.S. Case No.58 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned Court below issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant to keep her as wife with full dignity and



honour.

The provisional bail of the petitioner will be confirmed by learned Court below in three eventualities (i) if the matrimonial harmony is substantially restored, or (ii) if the informant fails to appear before the learned court below, or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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